

COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

FEB 7 - 2005

UNITED STATES OF AMERICA,

Plaintiff,

U.S. DISTRICT COURT
CLARKSBURG, WV 26301

v.

Criminal No. 1:05 CR 04

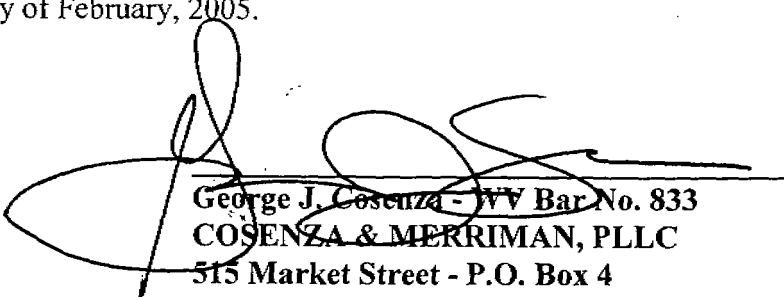
DANIEL WILSON TESTERMAN,

Defendant.

MOTION TO CONTINUE

NOW COMES the Defendant, DANIEL WILSON TESTERMAN, by and through his attorney, GEORGE J. COSENZA, and moves the Court to continue the pre-trial hearing in the above-cited case scheduled on March 22, 2005, at 12:15 p.m., on the grounds that Defendant's counsel is previously scheduled to appear for the following jury trials in the Wood County Magistrate Court, Parkersburg, West Virginia, on March 22, 2005, beginning at 9:00 a.m., to-wit: *State of West Virginia v. Joseph Carl Morehouse, Case No. 04-M-4901, State of West Virginia v. Joseph M. Young, Case No. 04-M-4616, and State of West Virginia v. James Robert Kinnett, III, Case No. 04-M-1924.*

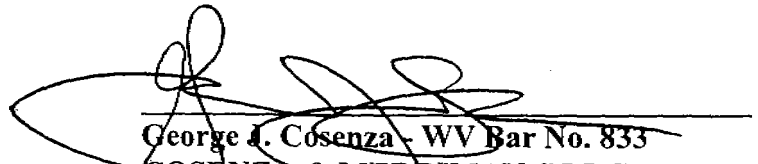
Dated this 3 day of February, 2005.



George J. Cosenza - WV Bar No. 833
COSENZA & MERRIMAN, PLLC
515 Market Street - P.O. Box 4
Parkersburg, WV 26102
(304) 485-0990
Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned counsel for Defendant, **DANIEL WILSON TESTERMAN**, hereby certifies that he served the foregoing **MOTION TO CONTINUE** upon the Plaintiff, **UNITED STATES OF AMERICA**, by depositing a true copy thereof in the United States mail, postage prepaid, addressed to Thomas E. Johnston, United States Attorney, Clarksburg Federal Center, 320 West Pike Street, Suite 300, Clarksburg, West Virginia, 26301-2710 on this 3 day of February, 2005.



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